

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

Case # 24-47922-tjt

Heritage Collegiate Apparel, Inc.,

Chapter 11

Debtor.

Judge Thomas J. Tucker

**ORDER ESTABLISHING DEADLINE FOR
PARTIES TO CLAIM AN OWNERSHIP INTEREST IN THE
DEBTOR'S ACCOUNTS, SALE PROCEEDS OR OTHER ASSET IN
DEBTOR'S POSSESSION OR CONTROL,
AND CANCELLING NOVEMBER 6, 2024 HEARING**

This case is before the Court on the motion by the Debtor Heritage Collegiate Apparel, Inc. (the "Debtor"), entitled "Motion for Entry of an Order (I) Establishing Deadline for Parties to Claim an Ownership Interest in the Debtor's Accounts, Sale Proceeds or Other Assets in Debtor's Possession or Control, and (II) Shortening the Deadline for Creditors to File Proofs of Claim" (Docket # 161, the "Bar Date Motion"). Objections to the Bar Date Motion were filed by the Office of the United States Trustee (Docket # 176), the Official Committee of Unsecured Creditors (Docket # 170) and the Regents of the University of Michigan (Docket # 177). Based on the stipulation filed November 4, 2024, entitled "Amended Stipulation for Entry of an Order Establishing Deadline for Parties to Claim an Ownership Interest in the Debtor's Accounts, Sale Proceeds, or

Other Assets in Debtor's Possession or Control" (Docket # 183), the Court finds good cause to enter this Order.

IT IS ORDERED that the Bar Date Motion is resolved under the terms of this Order.

IT IS FURTHER ORDERED that any party claiming an ownership interest in the Sale Proceeds (as defined in the Bar Date Motion) or any other asset that was in Debtor's possession or control on the Petition Date, or the proceeds thereof, must file a Claim of Ownership that comports with the following:

- a. is clearly titled as a Claim of Ownership,
- b. substantially conforms to Official Form B410 used for filing proofs of claim,
- c. identifies the asset that is subject to the claim of ownership and the value or amount owned,
- d. provides the legal basis for any claim that such parties' interest in the Sale Proceeds or other assets is superior to that of the Debtor or its creditors, including, but not limited to, secured creditors, and
- e. includes all the supporting information required by Fed. R. Bankr. P. 3001(c) and 3001(d).

IT IS FURTHER ORDERED that deadline to file a Claim of Ownership is November 29, 2024 (the "Ownership Bar Date").

IT IS FURTHER ORDERED that any party who is required by this Order to file a Claim of Ownership who fails to file its Claim of Ownership by the Ownership Bar Date will be forever barred, estopped, and enjoined from asserting

a claim to or interest in any asset that was in the Debtor's possession or control on the Petition Date, or the proceeds thereof, including, but not limited to, the Sale Proceeds.

IT IS FURTHER ORDERED that notwithstanding any contrary language in the Bar Date Motion or this Order, nothing contained in this Order requires the University of Michigan to file a Claim of Ownership in order to preserve its claim in this case, nor does anything in this Order adjudicate or otherwise have any impact on the University of Michigan's claim or the defenses of the Debtor or any other parties in interest to such claim.

IT IS FURTHER ORDERED that within twenty-four hours after entry of the Order, the Debtor must serve this Order via the Court's Electronic filing system or first class mail, as the case may be, upon (i) counsel for the Office of the United States Trustee for the Eastern District of Michigan, (ii) the parties on the creditor matrix or their counsel of record, (iii) any other party the Debtor received funds from and made payments to, including any successor entities, since January 1, 2020, and (iv) counsel for the Unsecured Creditors' Committee, and then the Debtor must promptly file proof of such service.

IT IS FURTHER ORDERED this Court retains jurisdiction with respect to all matters arising from or related to the implementation and/or interpretation of this Order.

IT IS FURTHER ORDERED that the hearing on the Bar Date Motion, currently scheduled for November 6, 2024 at 11:00 a.m., is cancelled.

Signed on November 4, 2024



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge